

# **Iraq: Authorization of Use of U.S. Armed Forces – Side-By-Side Comparison of Public Law 107-243 and Selected Legislative Proposals**

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## **Iraq: Authorization of Use of U.S. Armed Forces – Side-By-Side Comparison of Public Law 107-243 and Selected Legislative Proposals**

On October 16, 2002, the President signed H.J.Res. 114 into law as Public Law 107-243 (116 Stat. 1498), wherein Congress authorized the President to use United States Armed Forces against Iraq. This report presents a side-by-side comparison of Public Law 107-243 and selected alternative legislative proposals considered in 107<sup>th</sup> Congress.

P.L. 107-243 [H.J.Res. 114, Hastert-Gephardt], the Spratt amendment, S.J.Res. 45 [Daschle-Lott], a draft proposal by Senators Biden and Lugar [Biden-Lugar], and a draft proposal by Senator Levin were central to the debates waged in the House and Senate in early October 2002. S.J.Res. 46 [Lieberman] is not explicitly included here because of its substantial similarity to H.J.Res. 114. Each would have authorized the President to use U.S. Armed Forces against Iraq. Each, however, presented different reasons for the authorization, conditions and thresholds to be met, congressional consultation requirements, and reporting requirements.

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## Overview

On October 10, 2002, the House of Representatives passed H.J.Res. 114 to authorize the President to use United States Armed Forces against Iraq. The Senate, having debated its own resolution throughout the week, adopted the House language without amendment in the early hours of October 11, 2002. President Bush signed H.J.Res. 114 into law on October 16, 2002 (P.L. 107-243; 116 Stat. 1498).

House rules provided for 20 hours of debate on H.J.Res. 114. Debate began on October 8. Two amendments, in the nature of a substitute, were considered and rejected:

- Representative Lee proposed language to resolve the conflict with Iraq through the United Nations “through mechanisms such as the resumption of weapons inspections, negotiation, enquiry, mediation, regional arrangements, and other peaceful means.” Failed by a vote of 72 - 355 (October 10).
- Representative Spratt proposed language to authorize the President to use U.S. Armed Forces against Iraq pursuant to a new United Nations Security Council resolution requiring the elimination of Iraq’s weapons of mass destruction and ballistic missiles. Failed by a vote of 155 - 270 (October 10).

Representative Kucinich moved to recommit H.J.Res. 114 to the Committee on International Relations, with instructions to report back a committee amendment to the measure that would require the President to report to Congress on the impact the use of armed force would have on U.S. national security interests prior to deployment. The Kucinich motion failed, by a vote of 101 - 325. H.J.Res. 114 was cleared for a final vote, and passed the House by a vote of 296 - 133.

In the Senate the debate began with S.J.Res. 45, introduced by Senators Daschle and Lott on September 26, 2002, and placed on the Senate General Calendar September 30. Daschle-Lott was derived from an earlier White House proposal. A motion to begin the debate was made on October 1; cloture on that motion was invoked on October 3, by a vote of 95 - 1. The motion to proceed was then agreed to by unanimous consent. Debate began in earnest on October 4, and continued through the early morning hours of October 11.

Though S.J.Res. 45 was ostensibly the proposal under consideration, the language introduced earlier as S.J.Res. 46 by Senator Lieberman and others on October 2, 2002, which was nearly identical to H.J.Res. 114, was put forward as an amendment to S.J.Res. 45. S.J.Res. 46 became the target of five secondary amendments, all of which failed to pass:

- Senator Graham proposed language, in the nature of a substitute, to authorize the President to use the Armed Forces against Iraq, but further to “defend the national security of the United States against the threat posed by...” Abu Nidal, HAMAS, Hizballah, the Palestine Islamic Jihad, and the Palestine Liberation Front. Tabled, by a vote of 88 - 10 (October 9).
- Senator Byrd proposed language, to be added to the end of S.J.Res. 46, to state that passage of the resolution was not “intended to alter the constitutional authorities of the Congress to declare war...”, nor was it intended to grant “...any authority to the President...for any purpose not directly related to a clear threat of imminent, sudden, and direct attack upon the United States, its possessions or territories, or the Armed Forces of the United States....” Failed, by a vote of 14 - 86 (October 10).

- Senator Levin proposed language, in the nature of a substitute, to authorize the President to use the Armed Forces against Iraq, but pursuant to adoption of a new U.N. Security Council resolution. Failed, by a vote of 24 - 75 (October 10).
- Senator Byrd proposed language, to be added to the end of S.J.Res. 46, to terminate the authorization of use of the Armed Forces 12 months after enactment, but also to allow a continuation of the authorization of certain conditions were met. Failed, by a vote of 31 - 66 (October 10).
- Senator Durbin proposed language to change the rationalization for authorization, so that instead of being in order to defend the national security of the United States “against the continuing threat posed by Iraq,” it would be in order to defend “against an imminent threat posed by Iraq’s weapons of mass destruction.” Failed, by a vote of 30 - 70 (October 10).

At one point in the debate on the text of S.J.Res. 46 as an amendment to S.J.Res. 45, cloture was invoked by a vote of 75 - 25, thus limiting remaining debate to 30 hours. The entire time was not expended, however, and the amendment was agreed to by voice vote. Amid debate, the Senate received H.J.Res. 114 from the House. That measure was passed by the Senate just after midnight on October 11, 2002, by a vote of 77 - 23. Cloture on S.J.Res. 45 was subsequently rescinded, and the matter was indefinitely postponed, both by unanimous consent.

H.J.Res. 114 was cleared for the President on October 11, 2002, presented to the President on October 15, who signed it on October 16. In a speech given on the occasion of signing, the President stated, in part:<sup>1</sup>

The resolution I’m about to sign symbolizes the united purpose of our nation, expresses the considered judgment of the Congress, and marks an important event in the life of America. The 107th Congress is one of the few called by history to authorize military action to defend our country and the cause of peace.

This is among the most serious and difficult decisions a legislator can face. Members of both Houses, both political parties, have deliberated with care, and they have spoken with clarity on behalf of the American people. We will face our dangers squarely, and we will face them unafraid.

With this resolution, Congress has now authorized the use of force. I have not ordered the use of force. I hope the use of force will not become necessary. Yet, confronting the threat posed by Iraq is necessary, by whatever means that requires. Either the Iraqi regime will give up its weapons of mass destruction, or, for the sake of peace, the United States will lead a global coalition to disarm that regime. If any doubt our nation’s resolve, our determination, they would be unwise to test it.

Since the President declared Iraq part of an “axis of evil” in his State of the Union Address on January 29, 2002, tensions increased between the legislative and executive branches over just what that meant and what was to be done about it. Resolutions circulated on Capitol Hill since mid-summer beginning with a call on Congress to “consider and vote on a resolution authorizing the use of force by the United States Armed Forces against Iraq before such force is deployed against Iraq.” (H.J.Res. 109, introduced July 26, 2002, by Representative DeFazio and others). Subsequent proposals became increasingly focused on only Iraq and its weapons of mass destruction. Throughout the debate, differences of view were pinned on regime change, Iraq’s

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<sup>1</sup> For full text, see [<http://www.whitehouse.gov/news/>]

links to terrorism, the viability or seriousness of Iraq's threat of weapons of mass destruction, and choosing a strategy of unilateral action or coalition building.

This paper presents a side-by-side consideration of key legislative proposals in the debate to authorize the President to use United States Armed Forces against Iraq: Public Law 107-243 (H.J.Res. 114), the Spratt amendment, S.J.Res. 45, Biden-Lugar, and Levin. The paper is organized on the construction of Public Law 107-243.

**Table I. Side-By-Side Comparison**

<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate</b> <b>Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
<p>To authorize the use of United States Armed Forces against Iraq.</p>	<p><i>Not applicable.</i></p>	<p>To authorize the use of United States Armed Forces against Iraq.</p>	<p>Authorizing the use of the United States Armed Forces pursuant to a new resolution of the United Nations Security Council seeking to enforce the destruction and dismantlement of Iraq's weapons of mass destruction program and prohibited ballistic missiles program or pursuant to the United States right of individual or collective self-defense if the Security Council fails to act.</p>	<p>Authorizing the use of the United States Armed Forces, pursuant to a new resolution of the United Nations Security Council, to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, long-range ballistic missiles, and related facilities, and for other purposes.</p>
<p>Whereas in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq;</p>	<p>Whereas the Government of Iraq, without cause or provocation, invaded and occupied the country of Kuwait on August 2, 1990;  <i>[and]</i>  Whereas in reaction to Iraq's aggression against Kuwait, President George H. W. Bush assembled a coalition of nations to liberate Kuwait and to enforce a series of United Nations Security Council resolutions adopted in</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>

<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
<p>Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;</p>	<p>opposition to Iraq's invasion of Kuwait;</p> <p>Whereas, after the liberation of Kuwait in 1991, Iraq entered into a cease-fire agreement sponsored by the United Nations, pursuant to which Iraq agreed —</p> <p>(1) to destroy, remove, or render harmless all chemical and biological weapons and stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities related thereto;</p> <p>(2) to destroy, remove, or render harmless all ballistic missiles with a range greater than 150 kilometers, and related major parts and production facilities;</p> <p>(3) not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities; and</p>	<p><i>No equivalent language.</i></p>	<p>Whereas under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.</p>	<p>Whereas, in accordance with United Nations Security Council Resolution 687 (1991), Iraq made a commitment —</p> <p>(1) to destroy, remove, or render harmless all chemical and biological weapons and stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities related thereto;</p> <p>(2) to destroy, remove, or render harmless all ballistic missiles with a range greater than 150 kilometers, and related major parts and production facilities;</p> <p>(3) not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities; and</p> <p>(4) to permit immediate on-site inspection of Iraq's</p>



<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate</b> <b>Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
<p>(4) to permit immediate on-site inspection of Iraq's biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance;</p> <p>Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;</p> <p>Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors</p>	<p>(4) to permit immediate on-site inspection of Iraq's biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance;</p> <p><i>No equivalent language.</i></p> <p>Whereas, in flagrant violation of the cease-fire agreement, Iraq sought to thwart the efforts of arms inspectors to uncover and</p>	<p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>	<p>biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance;</p> <p><i>No equivalent language.</i></p> <p>Whereas the regime of Saddam Hussein consistently refused to cooperate with United Nations Special Commission weapons</p>

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<p>to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;</p>	<p>destroy Iraq's stockpiles of weapons of mass destruction and long-range ballistic missiles, and the means of producing such weapons and missiles;</p> <p>Whereas, because of Iraq's demonstrated will to attack neighboring countries and arm itself with weapons of mass destruction, the United Nations Security Council passed Resolutions 687, 707, ,715, 1051, 1060, 1115, 1134, 1137, 1154, 1194, and 1205, demanding that Iraq destroy all weapons of mass destruction, cease further development of chemical, biological, and nuclear weapons, stop the acquisition of ballistic missiles with a range exceeding 150 kilometers, and end its support of terrorism;</p> <p>Whereas Iraq has continued to defy resolutions of the United Nations Security Council and to develop weapons of mass destruction, has not stopped its support of terrorism, has refused to cooperate with arms inspectors of the United Nations, and since December</p>			<p>inspectors in Iraq between 1991 and 1998 by denying them access to crucial people, sites, and documents;</p> <p><i>[and]</i></p> <p>Whereas on October 31, 1998, Iraq banned the United Nations weapons inspectors despite its agreement and obligation to comply with United Nations Security Council Resolution 687 (1991);</p>

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<p>Whereas in Public Law 105-335 (August 14, 1998), Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in "material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations";</p>	<p>1998 has barred and denied all such inspectors any access to Iraq;</p> <p><i>No equivalent language.</i></p>	<p>Whereas Congress in 1998 concluded that Iraq was then in material and unacceptable breach of its international obligations and thereby threatened the vital interests of the United States and international peace and security, stated the reasons for that conclusion, and urged the President to take appropriate action to bring Iraq into compliance with its international obligations (Public Law 105-235);</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>
<p>Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and</p>	<p>Whereas Iraq has materially breached its international obligations by retaining and continuing to develop chemical and biological weapons, by actively seeking a nuclear weapons capability and ballistic missiles with ranges exceeding 150 kilometers, and by</p>	<p>Whereas Iraq remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist</p>	<p><i>No equivalent language.</i></p>	<p>Whereas Iraq continues to develop weapons of mass destruction, in violation of its commitments under United Nations Security Council Resolution 687 (1991) and subsequent resolutions, and the regime of Saddam Hussein has used weapons of mass</p>

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<p>biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;</p> <p>Whereas Iraq persists in violating resolution [sic] of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;</p> <p>Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction</p>	<p>supporting international terrorism;</p> <p><i>No equivalent language.</i></p>	<p>organizations, thereby continuing to threaten the national security interests of the United States and international peace and security;</p> <p>Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population, including the Kurdish peoples, thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, and by failing to return property wrongfully seized by Iraq from Kuwait;</p> <p><i>Language identical to that in H.J.Res. 114.</i></p>	<p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>	<p>destruction against its own people and other nations; and Whereas the development of weapons of mass destruction by Iraq is a threat to the United States, to the friends and allies of the United States in the Middle East, and to international peace and security;</p> <p><i>No equivalent language.</i></p>

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against other nations and its own people;				
Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;	<i>No equivalent language.</i>	<i>Language identical to that in H.J.Res. 114.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>
Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;	<i>No equivalent language.</i>	<i>Language identical to that in H.J.Res. 114.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>
Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;	<i>No equivalent language.</i>	<i>Language identical to that in H.J.Res. 114.</i>	Whereas since 1990, the United States has considered Iraq to be a state sponsor of terrorism;	<i>No equivalent language.</i>

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<p>Whereas the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;</p>	<p>Whereas the attacks of September 11, 2001, underscores <i>[sic]</i> the extent of the threat posed by international terrorist organizations, and makes clear the gravity of the threat if they obtain access to weapons of mass destruction;</p>	<p>Whereas the attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations;</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>
<p>Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;</p>	<p><i>No equivalent language.</i></p>	<p>Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the high risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify the use of force by the United States in order to defend itself;</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>
<p>Whereas United Nations Security Council Resolution 678 (1990) authorizes the use of all necessary means to enforce United Nations Security</p>	<p>Whereas the United Nations Security Council passed Resolution 660, condemning the invasion of Kuwait and demanding Iraq's immediate</p>	<p>Whereas Iraq is in material breach of its disarmament and other obligations under United Nations Security Council Resolution 687, to cease</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>

<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate</b> <b>Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
<p>Council Resolution 660 (1990) and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687 (1991), repression of its civilian population in violation of United Nations Security Council Resolution 688 (1991), and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949 (1994);</p> <p>Whereas in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1), Congress has authorized the President “to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of</p>	<p>withdrawal, and thereafter passed Resolutions 661, 662, 664, 665, 666, 667, 670, 674, and 677, further demanding the Iraq withdraw from Kuwait; Whereas the Government of Iraq defied the United Nations, flouting and violating each of these resolutions;</p> <p><i>[and]</i></p> <p>Whereas Iraq’s defiance resulted in the adoption of United Nations Security Council Resolution 678 which authorized the use of all means necessary to repel Iraq from Kuwait and to compel its compliance with the above-referenced resolutions;</p> <p><i>No equivalent language.</i></p>	<p>repression of its civilian population that threatens international peace and security under United Nations Security Council Resolution 688, and to cease threatening its neighbors or United Nations operations in Iraq under United Nations Security Council Resolution 949, and United Nations Security Council Resolution 678 authorizes use of all necessary means to compel Iraq to comply with these “subsequent relevant resolutions”;</p> <p>Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President to use the Armed Forces of the United States to achieve full implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669,</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>

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<p>Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677”;</p> <p>Whereas in December 1991, Congress expressed its sense that it “supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1),” that Iraq’s repression of its civilian population violates United Nations Security Council Resolution 688 and “constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region,” and that Congress, “supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688”;</p>	<p>Whereas allied forces, led by the United States, attacked Iraqi forces on January 16, 1991, and drove them out of Kuwait;</p>	<p>670, 674, and 677, pursuant to Security Council Resolution 678;</p> <p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>
<p>Whereas the Iraq Liberation Act (Public Law 105-338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from</p>	<p><i>No equivalent language.</i></p>	<p>Whereas Congress in the Iraq Liberation Act (Public Law 105-338) has expressed its sense that it should be the policy of the United States to support efforts to remove from power</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>



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<p>power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;</p> <p>Whereas on September 12, 2002, President Bush committed the United States to “work with the United Nations Security Council to meet our common challenge” posed by Iraq and to “work for the necessary resolutions,” while also making clear that “the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable”;</p> <p>Whereas the United States is determined to prosecute the war on terrorism and Iraq’s ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council resolutions make clear that it is in the national security interests</p>	<p>Whereas on September 12, 2002, President Bush committed the United States to “work with the United Nations Security Council to meet our common challenge” posed by Iraq and to “work for the necessary resolutions”, while making clear that “the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable”; and</p> <p><i>No equivalent language.</i></p>	<p>the current Iraqi regime and promote the emergence of a democratic government to replace that regime;</p> <p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p> <p><i>No equivalent language.</i></p>

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<p>of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary;</p>				
<p>Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>
<p>Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned,</p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>	<p><i>No equivalent language.</i></p>

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authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;				
Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107-40); and	<i>No equivalent language.</i>	Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107-40); and	<i>No equivalent language.</i>	<i>No equivalent language.</i>
Whereas it is in the national security of the United States to restore international peace and security to the Persian Gulf region:	<i>No equivalent language.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>
<i>No equivalent language.</i>	Whereas the House of Representatives (in H.J.Res. 658 of the 101 <sup>st</sup> Congress and H. Res. 322 in the 105 <sup>th</sup> Congress) and the Senate (in S. Con. Res. 147 of the 101 <sup>st</sup> Congress and S.J.Res. 54 in the 105 <sup>th</sup> Congress) have declared support for international action	<i>No equivalent language.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>

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	to halt Iraq's defiance of the United Nations;			
No equivalent language.	Whereas in H. Res. 322 of the 105 <sup>th</sup> Congress, the House of Representatives affirmed that the "current crisis regarding Iraq should be resolved peacefully through diplomatic means, but in a manner which assures full compliance by Iraq with United Nations Security Council resolutions regarding the destruction of Iraq's capability to produce and deliver weapons of mass destruction";	No equivalent language.	No equivalent language.	No equivalent language.
No equivalent language.	Whereas Congress supports the efforts by the President to enforce through the Security Council the United Nations Security Council resolutions referenced above:	No equivalent language.	No equivalent language.	No equivalent language.
No equivalent language.	No equivalent language.	Whereas the United States has the inherent right, as acknowledged un the United Nations Charter, to use force in order to defend itself;	No equivalent language.	No equivalent language.
No equivalent language.	Whereas in the National Defense Act for Fiscal Years 1992 and 1993 (Public Law 102-	Whereas Congress in section 1095 of Public Law 102-190 has stated that it "supports the use	No equivalent language.	No equivalent language.

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	<p>190), Congress called upon “the President [to] consult closely with the partners of the United States in the Desert Storm coalition and with members of the United Nations Security Council in order to present a united front of opposition to Iraq’s continuing noncompliance with Security Council Resolution 687”;</p>	<p>of all necessary means to achieve the goals of Security Council Resolution 687 as being consistent with the Authorization for Use of Military Force Against Iraq (Public Law 102-1),” that Iraq’s repression of its civilian population violates United Nations Security Council Resolution 688 and “constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region,” and that Congress “supports the use of all necessary means to achieve the goals of Resolution 688”;</p>		
No equivalent language.	No equivalent language.	Whereas the President has authority under the Constitution to use force in order to defend the national security interests of the United States:	No equivalent language.	No equivalent language.
No equivalent language.	No equivalent language.	No equivalent language.	Whereas on numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons	No equivalent language.

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			inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;	
No equivalent language.	No equivalent language.	No equivalent language.	Whereas on numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;	No equivalent language.
No equivalent language.	No equivalent language.	No equivalent language.	Whereas Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;	No equivalent language.
No equivalent language.	No equivalent language.	No equivalent language.	Whereas Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using force against neighboring states, and its support for international	No equivalent language.

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<p>Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p><b>Section 1. Short Title.</b>  This joint resolution may be cited as the “Authorization for Use of Military Force Against Iraq Resolution of 2002”.</p> <p><b>Sec. 2. Support for United States Diplomatic Efforts.</b>  The Congress of the United States supports the efforts by the President to—</p> <p>(1) strictly enforce through the United Nations Security Council all relevant Security Council resolutions regarding Iraq and encourages him in those efforts; and</p> <p>(2) obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its</p>	<p>Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p><b>Section 1. Short Title.</b>  This joint resolution may be cited as the “Elimination of Weapons of Mass Destruction from Iraq Resolution”.</p> <p><b>Sec. 2. Sense of the Congress.</b>  It is the sense of Congress that —</p> <p>(1) the President should be commended for calling upon the United Nations to address the threat to international peace and security posed by Iraq’s refusal to meet its disarmament obligations under United Nations Security Council resolutions;</p>	<p>Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p><b>Section 1. Short Title.</b>  This joint resolution may be cited as the “Further Resolution on Iraq”.</p> <p>No equivalent language.</p>	<p>terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States</p> <p>Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p><b>Section 1. Short Title.</b>  This Act may be cited as the “Authorization for the Use of Force Against Iraq Resolution of 2002.”</p> <p>No equivalent language.</p>	<p>Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p><b>Section 1. Short Title.</b>  This joint resolution may be cited as the “Multilateral Use of Force Authorization Act of 2002”.</p> <p><b>Sec. 2. Congressional Policy For United Nations Security Council Action on Iraq.</b>  Congress—</p> <p>(1) supports the President’s call for the United Nations to address the threat to international peace and security posed by Saddam Hussein’s continued refusal to meet Iraq’s obligations under resolutions of the United Nations Security Council to accept the</p>

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<p>strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions regarding Iraq.</p>	<p>(2) The President should persist in his efforts to obtain approval of the Security Council for any actions taken against Iraq; and</p> <p>(3) the President should continue to seek, and the Security Council should approve, a resolution that —</p> <p>(A) demands full and unconditional compliance by the Government of Iraq with all disarmament requirements imposed by United Nations Security Council Resolutions 687, 707, 715, 1051, 1060, 1115, 1134, 1154, 1194, and 1205;</p> <p>(B) mandates the immediate return to Iraq of United Nations arms inspection teams, empowered with increased staff and resources and unconditional access to all sites they deem necessary to uncover and destroy weapons of mass destruction and ballistic missiles with ranges exceeding 150 kilometers, and the means of producing such weapons and missiles, without regard to any</p>			<p>destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;</p> <p>(2) urges the United Nations Security Council to adopt promptly a resolution that—</p> <p>(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and</p> <p>(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the</p>



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	<p>objections or conditions that Iraq may seek to impose; and</p> <p>(C) authorizes, if the President deems advisable, a military force, formed under the auspices of the United Nations Security Council but commanded by the United States, to protect and support arms inspectors and make force available in the event that Iraq impedes, resists, or in any way interferes with such inspection teams;</p> <p>(4) if the United Nations Security Council fails to pass a resolution that satisfies the conditions of paragraph (3), and if the President determines that use of the United States Armed Forces is necessary to compel Iraq to comply with all such disarmament requirements, the President should seek authorization from Congress to use military force to compel such compliance by invoking the expedited procedures set forth in section 5;</p> <p>(5) if the United States must resort to force, the President</p>			<p>event that the Government of Iraq refuses to comply;</p> <p>(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense; and</p> <p>(4) will not adjourn sine die this year and will return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if in the judgment of the President the United Nations Security Council fails to adopt the resolution described in paragraph (2).</p>

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<p>Sec. 3. Authorization for Use of United States Armed Forces.</p> <p>(a) Authorization.— The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—</p> <p>(1) defend the national security of the United States against the continuing threat posed by Iraq; and</p>	<p>should endeavor to form a coalition of allies as broadly based as practicable to support and participate with United States Armed Forces, and should also seek multilateral cooperation and assistance, specifically including Arab and Islamic countries, in the post-conflict reconstruction of Iraq; and</p> <p>(6) if the United States resorts to force, Congress will provide all possible support to the members of the United States Armed Forces and their families.</p> <p><i>No equivalent language. (See, however, sec. 3, below.)</i></p>	<p>Sec. 2. Authorization for Use of United States Armed Forces.</p> <p>The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council Resolutions referenced above, defend the national security interests of the United States against the threat posed by Iraq, and restore international peace and security in the region.</p>	<p>Section 2. Authorization for the Use of United States Armed Forces.</p> <p>(a) Authorization for the Use of Force.— The President, subject to subsection (b), is authorized to use United States Armed Forces as he determines to be necessary and appropriate—</p> <p>(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which</p>	<p><i>No equivalent language. (See, however, sec. 3, below.)</i></p>

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<p>(2) enforce all relevant United Nations Security Council resolutions regarding Iraq.</p> <p>(b) Presidential Determination.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—</p> <p>(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement regarding Iraq; and</p> <p>(2) acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and</p>			<p>govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or</p> <p>(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.</p> <p>(b) Requirement for determination that use of force is necessary.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—</p> <p>(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the</p>	

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terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001.			United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or  (2) that the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).	
(c) War Powers Resolution Requirements.— (1) Specific Statutory Authorization.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution. (2) Applicability of Other Requirements.—Nothing in this resolution supersedes any	Sec. 6 War Powers Resolution Requirements. (a) Specific Statutory Authorization.— Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that — (1) section 3 of this joint resolution is intended to constitute specific authorization within the meaning of section 5(b) of the War Powers Resolution; and	No equivalent language.	Section 4. War Powers Resolution Requirements. (a) Specific Statutory Authorization.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution. (b) Applicability of Other Requirements.— Nothing in this resolution supersedes any	Sec. 3 (pertaining to use of Armed Forces to enforce United Nations Security Council Resolution; see full text below) (c) War Powers Resolution Requirements.— (1) Specific Statutory Authorization.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of

<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate</b> <b>Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
requirement of the War Powers Resolution.	<p>(2) if a joint resolution described in section 5(a)(2) is enacted into law, such resolution is intended to constitute specific authorization within the meaning of section 5(b) of the War Powers Resolution.</p> <p>(B) Applicability of Other Requirements. Nothing in this resolution supersedes any requirement of the War Powers Resolution.</p>		requirement of the War Powers Resolution.	<p>the War Powers Resolution (22 U.S.C. 1544(b)).</p> <p>(2) Applicability of Other Requirements.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.</p>
<i>No equivalent language.</i>	<p>Sec. 3. Authorization To Use Force in Accordance With New United Nations Security Council Resolutions.</p> <p>The President is authorized to use United States Armed Forces pursuant to any resolution of the United Nations Security Council adopted after September 12, 2002, that provides for the elimination of Iraq's weapons of mass destruction and ballistic missiles with ranges exceeding 150 kilometers, and the means of producing such weapons and missiles. Nothing in the preceding sentence shall be</p>	<i>No equivalent language.</i>	<i>No equivalent language.</i>	<p>Sec. 3. Authorization for Use of United States Armed Forces Pursuant to a New United Nations Security Council Resolution.</p> <p>(a) Authorization.— Pursuant to a resolution of the United Nations Security Council described in section 2(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material,</p>

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	<p>construed to prevent or otherwise limit the authority of the Armed Forces to use all appropriate force for self defense and enforcement purposes.</p> <p><i>[and]</i></p> <p>Sec. 4. Presidential Certifications.</p> <p>In the event that the United Nations Security Council does not adopt a resolution as described in section 3, or in the event that such a resolution is adopted but does not sanction the use of force sufficient to compel Iraq's compliance, and if the President determines that use of the United States Armed Forces is necessary for such compliance, the President should seek authorization from Congress to use military force to compel such compliance by invoking the expedited procedures set forth in section 5 after the President submits to the Speaker of the House of Representatives and the</p>			<p>ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.</p> <p>(b) Requirements.— Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 2(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.</p> <p>(c) War Powers Resolution Requirements.—</p> <p>(1) Specific Statutory Authorization.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is</p>

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	<p>President pro tempore of the Senate a certification that –</p> <p>(1)(A) the United States has sought passage by the United Nations Security Council of a resolution described in section 3, and the Security Council has failed to pass such a resolution, and no other action taken by the United Nations Security Council has been sufficient to compel Iraq to comply with the Security Council resolutions referred to in section 2; or</p> <p>(B) the United Nations Security Council has passed a resolution that does not sanction the use of force sufficient to compel compliance, and–</p> <p>(i) the United Nations Security Council is unlikely to take further action that will result in Iraq's compliance with such resolution; and</p> <p>(ii) the use of military force against Iraq is necessary to compel compliance;</p> <p>(2) the use of military force against Iraq will not impair</p>			<p>intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).</p> <p>(2) Applicability of Other Requirements.– Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.</p>

<b>Public Law 107-243</b> <b>[H.J.Res. 114]</b> <b>[Hastert-Gephardt]</b> <b>as signed into law 10/16/02</b> <b>[S.J.Res. 46 nearly identical]</b>	<b>Spratt amendment</b> <b>in draft form, 10/7/02</b>	<b>S.J.Res. 45</b> <b>[Daschle-Lott]</b> <b>as placed on Senate</b> <b>Calendar 9/30/02</b>	<b>S.J.Res. —</b> <b>[Biden-Lugar]</b> <b>in draft form, 9/30/02</b>	<b>S.J.Res. —</b> <b>[Levin]</b> <b>in draft form, 10/4/02</b>
<p>Sec. 4. Reports to Congress.</p> <p>(a) Reports. — The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 3 and the status of planning for efforts that are expected to be required after such actions are completed, including those actions described in section 7 of Public Law 105-338 (the Iraq Liberation Act of 1998).</p>	<p>international cooperation in the fight against terrorism or participation in United States military actions undertaken pursuant to Public Law 107-40; and</p> <p>(3) the United States is in the process of establishing, or has established, a coalition of other countries as broadly based as practicable to support and participate with the United States in whatever action is taken against Iraq.</p> <p>Sec. 7. Reports To Congress.</p> <p>At least once every 60 days, the President shall transmit to Congress a report on matters relevant to this joint resolution. The President shall include in such report an estimate of expenditures by the United States and allied nations to compel Iraq's compliance with the above referenced United Nations Security Council resolutions and any reconstruction efforts in Iraq, including those actions described in section 7 of the Iraq Liberation Act of 1998</p>	<p><i>No equivalent language.</i></p>	<p>Section 3. Consultation and Reports.</p> <p>(a) Consultation.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.</p> <p>(b) Initial Report.—(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—</p> <p>(A) about the degree to which other nations will assist</p>	<p>Sec. 4. Reports to Congress.</p> <p>Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—</p> <p>(1) to have the United Nations Security Council adopt the resolution described in section 2(2); or</p> <p>(2) in the case of the adoption of such resolution, to obtain</p>



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<p>(b) Single Consolidated Report. — To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of the War Powers Resolution (Public Law 93-148), all such reports may be submitted as a single consolidated report to the Congress.</p> <p>(c) Rule of Construction. — To the extent that the information required by section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) is included in the report required by this section, such report shall be considered as meeting the requirements of section 3 of such resolution.</p>	<p>(Public Law 105-338; 22 U.S.C. 2151 note).</p>		<p>the United States in the use of force in Iraq;</p> <p>(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and</p> <p>(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.</p> <p>(2) Classification of report.— The report required by paragraph (1) may be submitted in classified form.</p> <p>(c) Subsequent Reports.— Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.</p>	<p>compliance by Iraq with the resolution.</p>

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<i>No equivalent language.</i>	<p>Sec. 5. Expedited Congressional Consideration of Joint Resolution Authorizing Use of Force.</p> <p>(a) Qualifying Resolution. — (1) this section applies with respect to a joint resolution of the Senate or house of Representatives —</p> <p>(A) that is a qualifying resolution as described in paragraph (2); and</p> <p>(B) that it introduced (by request) by a qualifying Member not later than the next legislative day after the date of receipt by the Speaker of the House of Representatives and the President pro tempore of the Senate of a certification by the President under section 4.</p> <p>(2) For purposes of this section, a qualifying resolution is a joint resolution —</p> <p>(A) that does not have a preamble;</p> <p>(B) the title of which is the following: "Joint resolution authorizing the President to use all necessary means, including</p>	<i>No equivalent language.</i>	<i>No equivalent language.</i>	<i>No equivalent language.</i>

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	<p>the Armed Forces of the United States, to compel the Government of Iraq to comply with certain United Nations Security Council resolutions.” and</p> <p>(C) the test of which is as follows: “The President is authorized to use all necessary and appropriate means, including the Armed Forces of the United States, to compel the Government of Iraq to comply with the disarmament provisions in the United Nations Security Council Resolutions 687, 707, 715, 1051, 1060, 1115, 1134, 1154, 1194, and 1205 and with any other resolution of the United Nations Security Council adopted after September 12, 2002, that requires the elimination of Iraq’s weapons of mass destruction and ballistic missiles with ranges exceeding 150 kilometers, and the means of producing such weapons and missiles.”</p>			

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	<p>(3) For purposes of this subsection, a qualifying Member is —</p> <p>(A) in the case of the House of Representatives, the majority leader or minority leader of the House of Representatives; and</p> <p>(B) in the case of the Senate, the majority leader or minority leader of the Senate.</p> <p>(b) Placement on Calendar. — Upon introduction in either House of a resolution described in subsection (a), the resolution shall be placed on the appropriate calendar of the House involved.</p> <p>(c) Consideration in the House of Representatives. — (1) A resolution described in subsection (a) shall be considered in the House of Representatives in accordance with the provisions of this subsection.</p> <p>(2) On or after the first legislative day after the day on which such a resolution is introduced, it is in order (even through a previous motion to</p>			

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<p>the same effect has been disagreed to) for any Member of the House of representatives to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. Such a motion is privileged and is not debatable. An amendment to the motion is not in order. It shall not be in order to move to postpone the motion or to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the House of Representatives shall immediately proceed to consideration of the resolution without intervening motion, and the resolution shall remain the unfinished business of the House of Representatives until disposed of.</p> <p>(3) Debate on the resolution shall be limited to not more than a total of 20 hours, which</p>				

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<p>shall be divided equally between the majority leader and the minority leader or their designees. A motion to further limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order.</p> <p>(6) <i>[sic]</i> Immediately following the conclusion of the debate on the resolution, the vote on final passage of the resolution shall occur.</p> <p>(7) <i>[sic]</i> A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.</p> <p>(d) Consideration in Senate. —</p> <p>(1) A resolution described in subsection (a) shall be considered in the Senate in accordance with the provisions of this subsection.</p> <p>(2) On or after the first legislative day after the day on which such a resolution is introduced, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate</p>				

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	<p>to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is privileged and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the Senate shall immediately proceed to consideration of the resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the Senate until disposed of.</p> <p>(3) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than a total of 20 hours, which shall be divided</p>			

Public Law 107-243 [H.J.Res. 114] [Hastert-Gephardt] as signed into law 10/16/02 [S.J.Res. 46 nearly identical]	Spratt amendment in draft form, 10/7/02	S.J.Res. 45 [Daschle-Lott] as placed on Senate Calendar 9/30/02	S.J.Res. — [Biden-Lugar] in draft form, 9/30/02	S.J.Res. — [Levin] in draft form, 10/4/02
	<p>equally between the majority leader and the minority leader or their designees. A motion to further limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order.</p> <p>(6) <i>[sic]</i> Immediately following the conclusion of the debate on a resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the resolution shall occur.</p> <p>(7) <i>[sic]</i> A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.</p> <p>(8) <i>[sic]</i> Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a resolution described in subsection (a) shall be decided without debate.</p> <p>(e) Action on Measure from Other House. — (1) If, before the passage by one House of a resolution of that House</p>			



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	<p>described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:</p> <p>(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except as provided in subparagraph (B)(ii).</p> <p>(B) With respect to a resolution described in subsection (a) of the House receiving the resolution —</p> <p>(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but</p> <p>(ii) the vote on final passage shall be on the resolution of the other House.</p> <p>(2) Upon disposition pursuant to paragraph (1)(B)(ii) of a resolution described in subsection (a) that is received by one House from the other House, it shall no longer be in order to consider such a</p>			

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<p>resolution that was introduced in the receiving House.</p> <p>(f) Legislative Day Defined. – For the purposes of this section, with respect to either House of Congress, a legislative day is a calendar day on which that House is in session.</p> <p>(g) Section Enacted as Exercise of Rule-Making Power of the Two Houses. – The provisions of this section (other than subsection (h)) are enacted by the Congress –</p> <p>(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and, as such, shall be considered as part of the rules of either House and shall supersede other rules only to the extent they are inconsistent therewith; and</p> <p>(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in</p>				

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	the case of any other rule of that House.  (h) Presidential Recall of Congress. - In the event that Congress is not in session upon submission of a Presidential certification under section 4, the President is authorized to convene a special session of the Congress to allow consideration of a joint resolution under this section.			
No equivalent language.	Sec. 8. Inherent Right to Self- Defense.  Nothing in this joint resolution is intended to derogate or otherwise limit the authority of the President to use military force in self-defense pursuant to the Constitution of the United States and the War Powers Resolution.	No equivalent language.	No equivalent language.	No equivalent language.

## **Author Information**

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